



✓ 16487
PATENT

ATTORNEY DOCKET NO. 45636-5027-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jean-Philippe DESLYS *et al.*

Application No.: 09/341,539

Filed: October 12, 1999

For: **Method for screening substances with
therapeutic action in the treatment of
transmissible subacute spongiform
encephalopathies**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Group Art Unit: 1648

Examiner: Jeffrey S. Parkin, Ph.D.

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AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment Under 37 C.F.R. 1.111 in response to the Office Action dated October 10, 2002 (Paper No. 10), the period for response to which is extended to April 10, 2003 by the accompanying petition for a three-month extension of time.

2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	¹ [Fee for Small <u>Entity</u>]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$205.00
<input checked="" type="checkbox"/> three months	\$ 930.00	\$465.00
<input type="checkbox"/> four months	\$1,450.00	\$725.00

Extension of time fee due with this request: **\$930.00**

3. Additional Papers Enclosed:

1. Publication: Bolton *et al.*, *Arch Biochem Biophys* 258(2):579-590, 1987
2. Publication: Xi *et al.*, *J Neurol Sci* 24:171-173, 1994

4. Fee Payment

- [x] The Commissioner is hereby authorized to charge the amount of **\$930.00** (for a three-month extension of time) and any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

5. Constructive Petition

- [x] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: April 10, 2003

By: Elizabeth C. Weimar
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AMENDMENT UNDER 37 C.F.R. § 1.111

Sir:

In response to the Office Action dated October 10, 2002 (paper no. 10), the period for response to which is extended to April 10, 2003, by the accompanying petition for a three-month extension of time, please amend the above-identified application as follows. An authorization to charge the deposit account of the undersigned to cover the cost of the three-month extension of time, as well as a marked-up version showing the amendments to the claims, are also enclosed.

In the Claims:

Please cancel claims 7, 9, 10 and 11 without prejudice or disclaimer.

Please amend claims 8, 12 and 13 as follows:

--8. (twice amended) A method of isolating PrPres, from an organ or a tissue, in particular the spleen or the brain, consisting essentially of:

(i) homogenization of organ or tissue, collected after sacrificing the animal, by mechanical grinding in a homogenization buffer, followed by the addition, to the homogenate obtained, of a salt having a high ionic strength and capable of promoting the aggregation of the

Bcont'd -